



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 6 नवम्बर, 1971/15 कार्तिक, 1893

GOVERNMENT OF HIMACHAL PRADESH

LOCAL SELF GOVERNMENT DEPARTMENT

NOTIFICATIONS

Simla-2, the 13th October, 1971

No. 5-14/70-LSG.—Whereas a complaint against the President and some members of the Municipal Committee, Dalhousie, in Chamba district was lodged by certain residents of Dalhousie and in order to find out the truth of these allegations, the enquiry was entrusted to the Secretary, Local Self Government to Himachal Pradesh Government. He accordingly conducted this enquiry and gave his report of findings to the Government. On going through the enquiry report the Government has come to the conclusion that it is *prima facie* established that in the following cases Shri Balbir Singh Jootla, President, Municipal Committee, Dalhousie flagrantly abused his position as a President:—

- (1) That electric goods worth Rs. 2,000 (Rupees two thousand only) were purchased from Shri Punnu Ram who is a work-charged labourer and as such he could not make the supplies. The codal formalities required to be

completed in such a deal were not completed and goods of inferior quality were purchased. The rates charged were higher and the committee was thus put to loss. It has been established that the purchases were actually made from Shri Hans Raj Gupta, Municipal Commissioner, Municipal Committee, Dalhousie, and the name of Shri Punnu Ram was brought in fictitiously. The two cheques for the payments were prepared in the name of Shri Punnu Ram who endorsed them in favour of Shri Hans Raj Gupta, from which it is clear that the payment in fact was received from the bank by Shri Hans Raj Gupta. While sanctioning this deal two members of the Municipal Committee objected that Shri Punnu Ram was only a wiring labourer, that proper quotations were not invited and that codal formalities were also not observed. Furthermore, Shri Punnu Ram clearly admitted that it was Shri Hans Raj Gupta, a close associate of Shri Balbir Singh Jootla, President, who really got the supply order and Shri Punnu Ram was only concerned with his labour charges. The Accountant of the Municipal Committee Dalhousie, Shri Baldev Kumar, had also objected that codal formalities were not observed and proper quotations were also not invited but despite this in order to benefit Shri Hans Raj Gupta, the orders were placed and the payments were also made. Shri Punnu Ram also admitted before the Enquiry Officer that he purchased electric goods from Shri Hans Raj Gupta, Municipal Commissioner and this fact was also admitted by Shri Hans Raj Gupta and in this manner Shri Punnu Ram was fictitiously brought in the deal and that the amounts were actually received from the Bank by Shri Hans Raj Gupta. It has also been proved that the two quotations were written in the hand of Shri Hans Raj Gupta. It has also been proved that the cheques drawn in the name of Shri Punnu Ram were actually drawn by Shri Hans Raj Gupta. From the above it is clear that Shri Balbir Singh Jootla, President, Municipal Committee, Dalhousie, as well as Shri Hans Raj Gupta were both interested in this deal and were setting up fictitious persons to complete the deal in favour of Shri Hans Raj Gupta. All the above facts clearly indicate that Shri Balbir Singh Jootla, President, Municipal Committee, Dalhousie, was responsible for making this fictitious purchase of electric goods. Since the rates were not comparative and could not be considered lower than the market rates and, as such, the Committee also suffered loss for which Shri Jootla, is responsible.

(2) It has also been noted that curtain cloth worth Rs. 320 was purchased from Shri Ravi Khanna, who is a close associate of Shri Balbir Singh Jootla, President of the Municipal Committee, Dalhousie. In this case one Shri Madho Ram who is an employee of Tibetan School, Dalhousie was fictitiously brought in the deal as he was required by Shri Ram Chand, an employee of the Municipal Committee, to fill in a quotation for the purchase of curtain cloth which he did. The quotations on the one hand were collected upto 30th March, 1969, as is evident from the quotation of Shri Janak Raj, but on the other hand Shri Madho Ram also submitted his bill on 30th March, 1969. From the quotations it would appear that they were opened on 31st March, 1969, but the bill for supply was also submitted on 30th March, 1969 i.e., one day earlier to the opening of the quotations. Shri Madho Ram admitted before the Enquiry Officer that he is Thakedar (Contractor) by profession and is also a supervisor in the Tibetan School, Dalhousie, and he did not supply any cloth, because the Committee had already purchased the curtain cloth from somewhere and he simply collected the cheques and handed over the money to Shri Ravi Khanna in the presence of Shri Ram Chand and Bagga Singh both employees of

the Municipal Committee, Dalhousie. In this case also no quotations were invited and the codal formalities were also not completed. Despite all this, cloth was purchased from Shri Ravi Khanna, a Municipal Commissioner. From the above it is clear that all this was done at the instance of or at least it was within the knowledge of Shri Balbir Singh Jootla, President, Municipal Committee, Dalhousie, to benefit Shri Ravi Khanna, the Municipal Commissioner.

All this definitely indicates that Shri Balbir Singh Jootla, President managed for this purchase of curtain cloth which was done fictitiously in the name of Shri Madho Ram. This deal naturally benefitted his friend Shri Ravi Khanna.

And whereas Shri Balbir Singh Jootla, President, Municipal Committee, Dalhousie, suspended Shri Bagga Singh, Sanitary Inspector, Municipal Committee, Dalhousie, vide his order dated 8th September, 1969, which action was later on got confirmed from the Municipal Committee, Dalhousie, vide resolution No. 295, dated 27th September, 1969. Shri Bagga Singh Sanitary Inspector, Municipal Committee, Dalhousie, represented to the Government against his suspension and the Government after considering the representation of Shri Bagga Singh, Sanitary Inspector, and also the charge-sheet served upon him, ordered an enquiry vide letter No. 5-12/68-LSG, dated the 4th December, 1969. In consequence of the order of the Government, the Deputy Commissioner, Chamba, appointed Sub-Divisional Officer (Civil), Dalhousie, as Enquiry Officer. The Government after considering the report of the Enquiry Officer revoked resolution No. 295, passed by the Municipal Committee, Dalhousie, in its ordinary meeting held on 27th September, 1969, whereby the order suspending Shri Bagga Singh, Sanitary Inspector, were confirmed and directed the President, Shri Balbir Singh Jootla, Municipal Committee, Dalhousie, to reinstate the said Sanitary Inspector, vide Deputy Commissioner, Chamba, order No. 11-CBA-5(176)/66, dated the 10th June, 1970. The said President, Shri Balbir Singh Jootla, instead of complying with the orders of the Government refused to reinstate the said Sanitary Inspector, Shri Bagga Singh from which it is clearly established that Shri Balbir Singh Jootla, President, Municipal Committee, Dalhousie flagrantly abused his position and disregarded Government orders.

And whereas, the Government after considering the explanation of Shri Balbir Singh Jootla, have come to the conclusion that he flagrantly abused his position as a President and Member of the Municipal Committee, Dalhousie, and rendered himself liable to be removed from the Presidentship and membership of the said Committee and also made himself liable for disqualification for elections for a period not exceeding five years.

Now, therefore, in exercise of the powers conferred upon him under sections 21 and 15 of the Himachal Pradesh Municipal Act, 1968, the Governor, Himachal Pradesh is pleased to remove Shri Balbir Singh Jootla from the Presidentship and Membership of Municipal Committee, Dalhousie. The Governor, Himachal Pradesh in exercise of the powers conferred upon him under section 15(2) of the Himachal Pradesh Municipal Act, 1968 is further pleased to disqualify the said Shri Balbir Singh Jootla for contesting elections for a period not exceeding five years from the date of the issue of this notification.

By order,
C. M. CHATURVEDI,
Secretary.

Simla-2, the 13th October, 1971

No. 5-14/70-LSG.—In exercise of the powers conferred upon him under section 13(c) of the Himachal Pradesh Municipal Act, 1968, the Governor, Himachal Pradesh is pleased to order that Shri Balbir Singh Jootla, President and Member of Municipal Committee Dalhousie, who has been removed from the Presidentship and Membership of the Municipal Committee Dalhousie, vide this Department notification of even number, dated the 13th October, 1971, for the reasons mentioned in the aforesaid notification will vacate his seat with effect from 16th October, 1971.

By order,

S. R. BHARDWAJ,
Under Secretary.

Simla-2, the 13th October, 1971

No. 5-15-/70-LSG.—Whereas a complaint against the President and some members of the Municipal Committee, Dalhousie, was lodged and enquiry into the matter was conducted by the Enquiry Officer and after going through the enquiry report it has been noted that curtain cloth worth Rs. 320 was purchased from Shri Ravi Khanna, who is a close associate of Shri Balbir Singh Jootla, President, Municipal Committee, Dalhousie, for use by the Municipal Office, Dalhousie. In this case one Shri Madho Ram who is an employee of Tibetan School, Dalhousie, was fictitiously brought in the deal in as-much-as while he was at Dalhousie he was required by Shri Ram Chand, an employee of the Municipal Committee, Dalhousie, to fill in a quotation for the supply of curtain cloth which he did. After two days he submitted the bill. There is a certificate from the Central School for Tibetan School that Shri Madho Ram is an employee of the school at Dalhousie. He did not supply the cloth, because the Committee had already purchased the curtain cloth from elsewhere. He simply collected the cheque and handed over the money to Shri Ravi Khanna in the presence of Shri Ram Chand and Bagga Singh, employees of the Municipal Committee, Dalhousie. In this case no quotations were invited. The Municipal officials objected that the codal formalities were not completed in this case, and that Madho Ram was a contractor and he never sold the cloth. Despite all this Shri Ravi Khanna managed to get the supply order and supplied the cloth. From the above it is clear that all this was done to benefit Shri Ravi Khanna, Municipal Commissioner, Municipal Committee, Dalhousie.

All the above facts definitely indicate that Shri Ravi Khanna in connivance with the President of Municipal Committee, Dalhousie, managed for the supply of curtain cloth which was done in the fictitious name of Shri Madho Ram.

It has also been established that the quotations for supply of cloth were opened on the 31st March, 1968, whereas the bill for the supply of cloth was submitted by the supplier on the 30th March, 1968, which clearly indicates that everything to benefit the henchmen of the President, was done in a hurry and every cannon of procedure was thrown to the winds.

It has also been established that Shri Ravi Khanna was present in the enquiry conducted on the 21st January, 1970, and did not care to adduce any defence witness in his favour and at no stage he made any such request to the Enquiry Officer.

And whereas, the Government after considering the explanation of Shri Ravi Khanna have come to the conclusion that he flagrantly abused his position as a Municipal Commissioner, and rendered himself liable for removal from the membership of Municipal Committee, Dalhousie, and has also rendered himself liable to be disqualifed for contesting election for a period not exceeding five years under section 15 of the Himachal Pradesh Municipal Act, 1968.

Now, therefore, in exercise of the powers conferred upon him under section 15 of the Himachal Pradesh Municipal Act, 1968, the Governor, Himachal Pradesh has been pleased to remove Shri Ravi Khanna, Municipal Commissioner, from the membership of Municipal Committee, Dalhousie. The Governor, Himachal Pradesh in exercise of the powers conferred upon him under section 15(2) of the Himachal Pradesh Municipal Act, 1968, has further ordered to disqualify the said Shri Ravi Khanna for contesting elections for a period not exceeding five years, from the date of the issue of this order.

Simla-2, the 13th October, 1971

No. 5-15/70-LSG.—In exercise of the powers conferred upon him under section 13(c) of the Himachal Pradesh Municipal Act, 1968, the Governor, Himachal Pradesh is pleased to order that Shri Ravi Khanna, Municipal Commissioner Municipal Committee, Dalhousie, who has been removed from the membership of Municipal Committee, Dalhousie, vide this Department notification of even number, dated the 13th October, 1971, for the reasons recorded in the aforesaid notification, will vacate his seat with effect from the 16th October, 1971.

Simla-2, the 13th October, 1971

No. 5-16/70-LSG.—Whereas a complaint against the President and some members of the Municipal Committee, Dalhousie, was lodged and enquiry into the matter was conducted by the Enquiry Officer and after thorough enquiry it has been noted that electric goods worth Rs. 2,000 were purchased for use by Municipal Committee Dalhousie, from Shri Punnu Ram who is a work-charged labourer and who could hardly make such supplies. The codal formalities required to be completed in such deals were not completed and goods of inferior quality were purchased to benefit the henchmen of the President of Municipal Committee, Dalhousie. The rates charged were higher and the Committee was thus put to loss. It has been established that the purchases were really made from Shri Hans Raj Gupta, Municipal Commissioner, Municipal Committee, Dalhousie, and the name of Shri Punnu Ram was brought in fictitiously. During the course of enquiry Shri Punnu Ram clearly admitted that it was Shri Hans Raj Gupta who really got the supply order and that Shri Punnu Ram was only concerned with his labour charges. While sanctioning this deal two members of the Municipal Committee objected that Punnu Ram was only a wiring labourer and that proper quotations were not invited and that codal formalities were also not observed. The Accountant of the Municipal Committee, Dalhousie, Shri Baldev Kumar, had also pointed out that codal formalities were not observed and proper quotations were not invited but despite all this, in order to benefit Shri Hans Raj Gupta, the orders were got placed and the payments were made. Shri Punnu Ram also deposed and admitted before the Enquiry Officer that he purchased electric goods from Shri Hans Raj Gupta, Municipal Commissioner.

It has also been admitted and proved that the two cheques issued were received by Shri Punnu Ram but the payment from the Bank was received by Shri Hans Raj Gupta. This fact has also been admitted by Shri Hans Raj Gupta, that the payment of cheques was drawn by him from the Bank which was also testified by the Agent of the Bank. It was further established that the two quotations were written in the hand of Shri Hans Raj Gupta. It is, thus clear that Shri Hans Raj Gupta was interested in this deal and was getting up fictitious persons to complete the deal in his favour. All the above facts clearly indicate that Shri Hans Raj Gupta, Municipal Commissioner, Municipal Committee, Dalhousie, was responsible for making this fictitious supply of electric goods in order to benefit himself. Since the rates were not comparative and could not be considered lower than the market rates, the Municipal Committee thus also suffered loss for which Shri Hans Raj Gupta, Municipal Commissioner, Municipal Committee, Dalhousie, is responsible.

2. And, whereas, the Government after considering the explanation of Shri Hans Raj Gupta, Municipal Commissioner, Municipal Committee, Dalhousie, have come to the conclusion that he flagrantly abused his position as a Municipal Commissioner, and rendered himself liable for removal from the membership of Municipal Committee, Dalhousie, and has also rendered himself liable to be disqualified under section 15 of the Himachal Pradesh Municipal Act, 1968, for contesting elections for a period not exceeding five years.

3. Now, therefore, in exercise of the powers conferred upon him under section 15 of the Himachal Pradesh Municipal Act, 1968, the Governor, Himachal Pradesh has been pleased to remove Shri Hans Raj Gupta from the membership of Municipal Committee, Dalhousie. The Governor, Himachal Pradesh in exercise of the powers under section 15(2) of the Himachal Pradesh Municipal Act, 1968, has further ordered to disqualify the said Shri Hans Raj Gupta for contesting elections for a period not exceeding 5 years from the date of issue of this notification.

Simla-2, the 13th October, 1971

No. 5-16/70-LSG.—In exercise of the powers conferred upon him under section 13(c) of the Himachal Pradesh Municipal Act, 1968, the Governor, Himachal Pradesh is pleased to order that Shri Hans Raj Gupta, Municipal Commissioner, Municipal Committee, Dalhousie, who has been removed from the membership of the Municipal Committee, Dalhousie, vide this Department notification of even number, dated the 13th October, 1971, for the reasons mentioned in the aforesaid notification will vacate his seat with effect from 16th October, 1971.

By order,
C. M. CHATURVEDI,
Secretary.